

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

David R. Duncan *et al.*

Serial No.: 10/708,724

Filed: March 19, 2004

For: A NOVEL CULTURE METHOD FOR
CORN TRANSFORMATION

Group Art Unit: 1638

Examiner: Keith O. Robinson

Atty. Dkt. No.: MONS:126US

**CERTIFICATE OF ELECTRONIC TRANSMISSION
37 C.F.R. § 1.8**

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Trademark Office via EFS-Web on the date below:

April 23, 2009
Date

/Ron J. Laby/
Ron J. Laby

TELEPHONIC INTERVIEW SUMMARY

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Commissioner:

On April 16, 2009 Applicants' undersigned representative spoke telephonically with Examiners Keith Robinson, Ann Marie Grunberg, and David Kruse, regarding asserted obviousness rejections in view of Reichert (U.S. 6,140,555) and Saxena (U.S. 5,477,000) in the Final Official Action dated February 2, 2009. Differences in the art between organogenic and embryogenic approaches for plant cell culture were discussed. Applicants' representative also noted that Reichert describes regeneration of nodal (differentiated) tissues by organogenesis, rather than via an embryogenic approach, as is presently claimed.

No agreement on allowable claims was reached. However, Examiner Robinson stated that prosecution would be re-opened for additional analysis of art relating to culturing of plant cells including nodal tissues, and a new Action would be issued. Applicants would like to thank the Examiners for the time taken for the call.

Respectfully submitted,

/Ron J. Laby/

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